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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/483,666	01/14/2000	Robert D. Wilson	BL01134-013	8672
8698	7590	03/13/2003		
STANDLEY & GILCREST LLP 495 METRO PLACE SOUTH SUITE 210 DUBLIN, OH 43017			EXAMINER	
			AKERS, GEOFFREY R	
		ART UNIT	PAPER NUMBER	
		3624		
DATE MAILED: 03/13/2003				

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application 09/483666	Applicant(s) Wilson
Examiner Akers, G	Art Unit 362Y
	Confirmation No.

- The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address -

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

Responsive to communication(s) filed on 12/31/02

This action is FINAL.  This action is non-final.

Since this application is in condition for allowance except for the formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

Claim(s) 1-20 is/are pending in this application.

Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

Claim(s) \_\_\_\_\_ is/are allowed.

Claim(s) 1-20 is/are rejected.

Claim(s) \_\_\_\_\_ is/are objected to.

Claim(s) \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

The proposed drawing correction, filed on \_\_\_\_\_ is  approved or  disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action.

The drawing(s) filed on \_\_\_\_\_ is/are  accepted or  objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d) or (f).

All  Some\*  None of the:

Certified copies of the priority documents have been received.

Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received:

Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  The translation of the foreign language provisional application has been received.

Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

Information Disclosure Statement(s), PTO-1449, Paper No(s) \_\_\_\_\_

Notice of References Cited, PTO-892

Notice of Draftsperson's Patent Drawing Review, PTO-948

Interview Summary, PTO-413

Notice of Informal Patent Application, PTO-152

Other \_\_\_\_\_

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## **DETAILED ACTION**

### ***Response to Amendment***

1. This action is issued in response to applicant's Amendment A(Paper #5) filed 12/31/02.
2. Claims 1-5 were amended. New claims 6-20 were added. None were deleted.
3. Claims 1-20 are now pending.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-20 are rejected under 35 USC 103(a) as unpatentable over Longfield(US Pat. No: 5,193,057) in view of George(US Pat. No: 5,946,668) and further in view of Bern(US Pat. No: 5,138,549).

6. Longfield discloses a system for providing a loan to a taxpayer comprising historical refund data, year to date income information, year to date expense information, a processor adapted to process the data and a loan provided to the taxpayer(Abstract)(Fig 1)(col 1 line 44-col 2 line 4)(Appendix 1). George teaches a system for funding a home investment trust wherein the tax refund is estimated in order to fund a home investment trust(col 1 lines 5-10)(col 1 line 48-col 2 line 2)(Fig 1)(Fig 2)(Fig 3).Bern teaches trend analysis in the establishment of tax vouchers and

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the tracking of a depositor's deposit patterns(col 2 lines 16-34) and producing a paper trail of all tax deposits performed historicallyh(col 5 lines 20-34)(Figs 1-7). It would have been obvious to one skilled in the art at the time of the invention to combine Longfield in view of George and further in view of Bern to teach the above. The motivation to combine Longfield in view of George is to teach the funding of a liability by a tax refund credit as enunciated by George(col 1 lines 8-10).Furthermore, the motivation to combine Longfield in view of George and further in view of Bern is to teach a documentation system for tax deposits and accounts of a taxpayer which can be used as historical data for trends as enunciated by Bern(col 5 lines 34-41) which may be used to estimate loanable funds based on anticipated refunds.

*Response to Arguments*

7. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

*Conclusion*

8. Applicant's amendment constituting newly added claims necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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9. Any questions concerning this communication should be addressed to the primary examiner of record, Dr. Geoffrey Akers, P.E., who can be reached between 6:30 AM and 5:00 PM Monday through Friday at 703-306-5844. If attempts to contact the primary examiner are unsuccessful, the primary examiner's superior, Mr. Vincent Millin, SPE, may be telephoned at (703)-308-1065.

The fax number for Formal or Official faxes and Draft or Informal faxes to Technology Center 3600 or this Art Unit is (703)-308-3687. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)-308-1113.

GRA/PRIMARY

March 10, 2003